



MINUTES

OCONEE COUNTY COUNCIL

Special Meeting

March 25, 2022

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 10:00AM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Cain and Mr. Durham absent], County Administrator Amanda F. Brock, County Attorney David Root, Attorney Richard Few with ParkerPoe Attorneys & Counselors at Law [via phone], & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Dick Mangrum / WGOG

Call to Order

Mr. Elliott called the meeting to order at 10:00 a.m.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Hart led the Pledge of Allegiance to the Flag of the United States of America.

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Executive Session:

Mr. Davis made a motion, seconded by Mr. Hart, approved 3 – 0 [Mr. Cain and Mr. Durham absent], to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Receive legal advice and discuss contractual matter related to the acceptance of roads and related issues for the Pointe West Development Project.

Council entered Executive Session at 10:00 a.m.

Council returned from Executive Session at 10:29 a.m. on a motion made by Mr. Davis, seconded by Mr. Hart, approved 3 – 0 [Mr. Cain and Mr. Durham absent].

First & Final Reading for the Following Resolutions

RESOLUTION 2022-08 A RESOLUTION ACKNOWLEDGING THE ACCEPTANCE OF TITLE IN AND TO CERTAIN ROADS LOCATED IN OCONEE COUNTY, SOUTH CAROLINA AND ACKNOWLEDGING ACCEPTANCE OF SUCH ROADS INTO THE OCONEE COUNTY ROAD SYSTEM; AUTHORIZING ACCEPTANCE OF TITLE IN AND TO CERTAIN PUBLIC IMPROVEMENTS CONSTRUCTED IN THE COUNTY; AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT AND MAINTENANCE AGREEMENT AND RELATED COVENANTS; AND OTHER MATTERS THERETO.

Mr. Davis made a motion, seconded by Mr. Hart, to approve **Resolution 2022-08** on first and final reading.

Mr. Davis made a motion, seconded by Mr. Hart, approved 3 – 0 [Mr. Cain and Mr. Durham absent], to amend **Resolution 2022-08** to include that the County Administrator shall not cause the deed for the roads being conveyed to be recorded until, as consistent with the parties' MOU, she is:

1. Satisfied that the road repairs have been satisfactorily completed and the roads are otherwise in satisfactory condition, on advice of the Roads and Bridges Department. And she is
2. Satisfied, on advice of the County Attorney and outside counsel, including the County's environmental attorney, that the County will not be responsible for environmental liability arising out of ownership of the roads - including receipt of
 - a. An inurement letter from DHEC;
 - b. A certificate of insurance for the environmental liability insurance policy, as described in the

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MOU, said policy to be in place for not less than three (3) years;

- c. Receipt of proof of DHEC's satisfaction with the roads repairs, if available and appropriate.
3. Receipt of a final draw request from developers.
4. She is satisfied, on advice of County Attorney and outside counsel, that an adequate and acceptable title commitment and pro forma title policy have been delivered and that Stewart Title Insurance Company is prepared to issue a title policy in the form of the pro forma title policy without condition.

Amended motion approved 3 – 0 [Mr. Cain and Mr. Durham absent].

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 10:32 a.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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